

Joshua Dorchak
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, New York 10178
212.309.6000

Hearing Date: August 14, 2018 at 10:00 a.m.

Attorneys for Deutsche Bank AG and Affiliates

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.

Chapter 11

Case No. 08-13555 (SCC)

Jointly Administered

**OBJECTION OF DEUTSCHE BANK AG AND AFFILIATES
AND JOINDER IN OBJECTION OF ATTESTOR CAPITAL LLP
TO MOTION OF PLAN ADMINISTRATOR FOR AN ORDER
IN AID OF EXECUTION OF THE PLAN**

Deutsche Bank AG and its affiliates (collectively, “Deutsche Bank”), hereby object, and join in the Objection filed by Attestor Capital LLP on July 31, 2017 [ECF #58449] (the “Attestor Objection”), to the *Motion of the Plan Administrator for an Order in Aid of Execution of the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors*, filed on July 10, 2018 [ECF #58381] (the “Motion”).

OBJECTION AND JOINDER IN OBJECTION

1. Deutsche Bank objects to the Motion for the reasons set forth in the Attestor Objection, joins therein, and in the interest of efficiency incorporates herein the factual statements and legal arguments set forth in the Attestor Objection, which also apply to Deutsche Bank’s Primary Claims against LBIE and corresponding Guarantee Claims against LBHI.

2. Deutsche Bank reserves all of its rights and remedies in connection with the subject matter of the Objection and all documents related thereto (whether such rights and remedies exist in the laws of any jurisdiction, in equity, contract or otherwise, whether or not pleaded in this Objection). Nothing in this Objection is intended to waive, limit, restrict or otherwise prejudice any arguments, evidence, rights or remedies which Deutsche Bank may have under or in respect of other disputes with LBHI or other persons, related to LBIE or otherwise.

CONCLUSION

For the reasons set forth above, Deutsche Bank respectfully request that this Court find that the Statutory Interest Payments addressed in the Motion and the Objection are not “other consideration provided on the corresponding Primary Claim” with respect to Deutsche Bank’s LBIE Guarantee Claims and, accordingly, deny the Motion.

Dated: New York, New York
July 31, 2018

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Joshua Dorchak
Joshua Dorchak
101 Park Avenue
New York, New York 10178
212.309.6000
joshua.dorchak@morganlewis.com

Attorneys for Deutsche Bank AG and Affiliates